

EPA Programmatic Terms and Conditions

A. Substantial Federal Involvement

EPA will be substantially involved in the recipient's project activities, including but not limited to:

- 1) Regular provide technical assistance and programmatic oversight;
- 2) review/comment on the project's activities, deliverables, reports or publications prepared under this agreement (the recipient will make the final decision on the content of these products);
- 3) review and approval of any proposed changes in the work plan and/or budget;
- 4) joint operational involvement, participation, and/or collaboration between EPA and the recipient;
- 5) review and approval of substantive terms included in contracts or subawards (EPA's Project Officer will not suggest, recommend, or direct the recipient to select any particular contractor or subrecipient except to the extent permitted in Section 10 of EPA's Subaward Policy).

B. Key Personnel

In the event of a change in key project personnel (i.e., Director, project manager, project coordinator, etc.), the recipient must provide prior notification to the EPA Project Officer. The email to the EPA Project Officer should describe how project deliverables will be completed, and the name and telephone number for the interim or replacement project contact person.

C. Progress Meetings or Calls

EPA will closely monitor the recipient's progress to ensure that the work plan tasks are completed. The recipient agrees to communicate at least on a monthly basis with the EPA Project Officer, but the specific time frame for the project calls will be negotiated between the recipient's project manager and the EPA Project Officer. The project discussion will include an overview of the project progress.

The recipient agrees to inform EPA as soon as problems, delays, or adverse conditions which impact progress in meeting the project outputs/outcomes are known.

D. Performance Reports

In accordance with 2 Code of Federal Regulations (CFR) 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas:

- 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period;
- 2) The reasons why established outputs/outcomes were not met; and

- 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs.

The report should be emailed to the EPA Project Officer within 30 days after each quarter, the first quarter ending three months after the project start date.

E. Final Report

The recipient agrees to submit a final report within 120 days after the end of the project period. This report can take the place of the final quarterly report. The final technical report shall document project activities over the entire project period and shall include brief information on each of the following areas:

- 1) narrative summary of the work conducted under the grant
- 2) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the EPA-approved workplan;
- 3) reasons why anticipated outputs/outcomes were not met; and
- 4) other pertinent information, including when appropriate, analysis and explanation of cost overruns or high unit costs.

In addition to the report, the recipient should provide EPA a copy of all tangible final products that were created with EPA funds, including videos, research findings, curriculum, fact sheets and presentations. Electronic versions of products are encouraged.

F. Use of EPA Logo & Seal

If a sign is developed as part of a project funded by this cooperative agreement, then the sign shall include either a statement (e.g., this project has been funded, wholly or in part, by EPA) and/or EPA's logo acknowledging that EPA is a source of funding for the project. The EPA logo may be used on project signage when the sign can be placed in a visible location with direct linkage to site activities. Use of the EPA logo must follow the sign specifications available at <https://www.epa.gov/grants/epa-logo-seal-specifications-signage-produced-epa-assistance-agreement-recipients>.

If the EPA logo is appearing along with logos from other participating entities on websites, outreach materials, or reports, it must not be prominently displayed to imply that any of the recipient or subrecipient's activities are being conducted by the EPA. Instead, the EPA logo should be accompanied with a statement indicating that the recipient received financial support from the EPA under an Assistance Agreement. More information is available at: <https://www.epa.gov/stylebook/using-epa-seal-and-logo#policy>.

G. Outreach

If any documents, fact sheets, and/or web materials are developed as part of this cooperative agreement, then they shall include the following statement: "Though this project has been funded,

wholly or in part, by EPA, the contents of this document do not necessarily reflect the views and policies of EPA."

The recipient agrees to notify the EPA Project Officer of public or media events publicizing the accomplishment of significant events conducted using the EPA funding and provide the opportunity for attendance and participation by federal representatives with at least ten (10) working days' notice.

To increase public awareness of projects serving communities where English is not the predominant language, recipients are encouraged to include in their outreach strategies communication in non-English languages. Translation costs for this purpose are allowable, provided the costs are reasonable.

H. Quality Assurance (QA) Requirements

If environmental data are to be collected as part of this agreement, the recipient shall comply with 2 CFR § 1500.11 requirements to develop and implement QA practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements.

Prior to conducting any data collection, the recipient must have an EPA-approved QA Project Plan in place. The recipient should allow EPA adequate time (generally 30 days) for review and approval. The EPA Project Officer will provide the recipient with the EPA QA contact upon EPA's award issuance or upon request by recipient for pre-submittal questions and other communications regarding QA system document(s). A list of QA managers is posted on EPA's Quality Program website. The recipient agrees to include the EPA Project Officer on all written communications with the EPA QA contact.

In accordance with Agency Policy Directive Number FEM-2012-02, *Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements*, the recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable and that it agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. The recipient shall maintain competency for the duration of the project period of this agreement. A copy of the Policy is available online at <https://www.epa.gov/measurements-modeling/documents-about-measurement-competency-under-assistance-agreements>

I. Cybersecurity

The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.332(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.